



January 18, 2002

SENATE BILL No. 20

DIGEST OF SB 20 (Updated January 15, 2002 4:06 PM - DI 71)

Citations Affected: IC 10-1.

Synopsis: Amber alert program. Allows the missing child clearinghouse to work with radio and television stations to establish an abducted child alert system (the "Amber alert program"). Requires the state police department to adopt guidelines governing the Amber alert program.

Effective: July 1, 2002.

**Zakas, Blade, Wyss, Breaux, Alting,
Smith S, Broden, Meeks C, Merritt,
Young R Michael, Johnson**

November 20, 2001, read first time and referred to Committee on Rules and Legislative Procedure.
January 7, 2002, amended; reassigned to Committee on Public Policy.
January 17, 2002, amended, reported favorably — Do Pass.

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SB 20—LS 6001/DI 13+



January 18, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 20

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-1-7-0.1 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2002]: **Sec. 0.1. As used in this chapter, "Amber alert program"**
- 4 **means a program under which the clearinghouse transmits**
- 5 **information about a recently abducted child to broadcasters who**
- 6 **have agreed to participate in the program and who immediately**
- 7 **and repeatedly broadcast this information to the general public.**
- 8 SECTION 2. IC 10-1-7-0.5 IS ADDED TO THE INDIANA CODE
- 9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 10 1, 2002]: **Sec. 0.5. As used in this chapter, "broadcaster" means the**
- 11 **operator of a radio or television station.**
- 12 SECTION 3. IC 10-1-7-5 IS AMENDED TO READ AS FOLLOWS
- 13 [EFFECTIVE JULY 1, 2002]: Sec. 5. (a) The clearinghouse shall do
- 14 the following:
- 15 (1) Collect, process, and maintain identification and investigative
- 16 information to aid in finding missing children.
- 17 (2) Establish a statewide, toll-free telephone line for reports of

SB 20—LS 6001/DI 13+



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missing children and sightings of missing children.

(3) Prescribe a uniform reporting form concerning missing children for use by law enforcement agencies within Indiana.

(4) Assist in training law enforcement and other professionals on issues relating to missing children.

(5) Operate a resource center of information regarding the prevention of:

(A) the abduction of children; and

(B) the sexual exploitation of children.

(6) Distribute the quarterly report prepared under IC 10-1-7-4(b)(7) to schools and hospitals.

(7) Distribute the quarterly report described in subdivision (6) to child care centers and child care homes that make an annual contribution of four dollars (\$4) to the clearinghouse. The contributions must be used to help defray the cost of publishing the quarterly report.

(b) For a missing child who was born in Indiana, the clearinghouse shall notify the vital statistics division of the state department of health:

(1) within fifteen (15) days after receiving a report under IC 31-36-1-3 (or IC 31-6-13-4 before its repeal) of a missing child less than thirteen (13) years of age; and

(2) promptly after the clearinghouse is notified that a missing child has been found.

(c) Upon receiving notification under subsection (b) that a child is missing or has been found, the vital statistics division of the state department of health shall notify the local health department or the health and hospital corporation that has jurisdiction over the area where the child was born.

(d) Information collected, processed, or maintained by the clearinghouse under subsection (a) is confidential and is not subject to IC 5-14-3, but may be disclosed at the discretion of the clearinghouse for purposes of locating missing children.

(e) The clearinghouse may operate an Amber alert program.

SECTION 4. IC 10-1-7-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 5.5. (a) Upon the establishment of an Amber alert program, the clearinghouse may enter into an agreement with one (1) or more broadcasters to operate the Amber alert program under this chapter.**

(b) The superintendent of state police shall designate staff responsible for the operation of the Amber alert program.

(c) The department shall adopt guidelines governing the

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clearinghouse's operation of the Amber alert program. The department's guidelines may require that staff, upon receiving a report that a child has been abducted, immediately send by facsimile (fax) transmission or other means of communication a description of the abducted child to one (1) or more broadcasters participating in the Amber alert program.

(d) A broadcaster participating in the Amber alert program shall immediately broadcast:

- (1) a description of the abducted child; and
- (2) other information that will assist in locating the abducted child;

to the general public in accordance with the Amber alert plan agreement between the clearinghouse and the broadcaster.

(e) The department shall adopt guidelines governing the voluntary Amber alert program agreement between the clearinghouse and a broadcaster. The voluntary agreement between the clearinghouse and the broadcaster may include the following provisions:

(1) Upon receiving a notification as part of the Amber alert program, the broadcaster shall broadcast the information contained on the notice:

(A) one (1) time every fifteen (15) minutes during the first three (3) hours after the station receives the notice as part of the station's station identification;

(B) after the initial three (3) hours following receipt of the Amber alert notification has elapsed, one (1) time every thirty (30) minutes during the following five (5) hours as part of the station's station identification; and

(C) after the initial eight (8) hours following receipt of the Amber alert notification, the broadcaster shall include the alert in the broadcaster's news for the following forty (40) hours.

(2) The broadcaster shall treat the Amber alert notification as an emergency.

(3) The broadcaster shall ensure that the facsimile (fax) transmission machine or other communications device used to receive an Amber alert notification is:

(A) generally available to receive an Amber alert notification; and

(B) located such that the broadcaster will immediately become aware of an incoming Amber alert notification.



COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 20, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Public Policy.

(Reference is to SB 20 as introduced.)

GARTON, Chairperson

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SENATE MOTION

Mr. President: I move that Senator Blade be added as second author and Senators Wyss, Breaux, Alting, Smith S, Broden, Meeks C and Merritt be added as coauthors of Senate Bill 20.

ZAKAS

SENATE MOTION

Mr. President: I move that Senator Young R Michael be added as coauthor of Senate Bill 20.

ZAKAS

SENATE MOTION

Mr. President: I move that Senator Johnson be added as coauthor of Senate Bill 20.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 20, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 2, delete "Operate the Amber alert program."

Page 2, line 3, delete "(4)".

Run in lines 2 and 3.

Page 2, line 5, reset in roman "(4)".

Page 2, line 5, delete "(5)".

Page 2, line 7, reset in roman "(5)".

Page 2, line 7, delete "(6)".

Page 2, line 11, reset in roman "(6)".

Page 2, line 11, delete "(7)".

Page 2, line 13, reset in roman "(7)".

Page 2, line 13, delete "(8)".

Page 2, between lines 33 and 34, begin a new paragraph and insert:

"(e) The clearinghouse may operate an Amber alert program."

Page 2, line 36, delete "The" and insert **"Upon the establishment of an Amber alert program, the"**.

Page 2, line 38, delete "program." and insert **"program under this chapter."**

Page 3, delete lines 32 through 34.

Page 3, line 35, delete "(3)" and insert **"(2)"**.

Page 3, line 37, delete "(4)" and insert **"(3)"**.

and when so amended that said bill do pass.

(Reference is to SB 20 as printed January 8, 2002.)

WYSS, Chairperson

Committee Vote: Yeas 10, Nays 0.

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